

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

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SCOTT ALAN PARDEE,

Plaintiff,

Case No. 2:09-CV-44

v.

HON. GORDON J. QUIST

UNKNOWN BONE, et. al.,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on February 16, 2010. The Report and Recommendation was duly served on the parties. In accordance with 28 U.S.C. § 636(b)(1), the Court has performed *de novo* consideration of those portions of the Report and Recommendation to which objection has been made. The Court finds Plaintiff's objections to be without merit.

Plaintiff claims that Defendants' search of his cell and discovery of two uneaten burritos, a rope over ten feet in length made from torn sheets, and a damaged mattress was in retaliation for Plaintiff's grievances. In submitting objections, a "party shall file and serve written objections which shall specifically identify the portions of the proposed findings, recommendations or report to which objections are made and the basis for such objections." W.D. Mich. LCivR 72.3(b). An objection which is not "clear enough to enable the district court to discern those issues that are dispositive and contentious," is insufficient to permit review of the magistrate's report. *Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995). Thus, "a general objection to a magistrate's report, which

fails to specify the issues of contention, does not satisfy the requirement that an objection be filed.”

*Id.* Here, Plaintiff makes a conclusory objection to the Magistrate Judge’s Report and Recommendation with a general citation to “the record and documents.” Plaintiff further fails to cite any competent evidence or case law to support his conspiracy and retaliation claims. Thus, Plaintiff’s objection is without merit.

Accordingly,

**IT IS HEREBY ORDERED** that the Magistrate Judge’s Report and Recommendation (Docket no. 37) is **ADOPTED** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Defendants’ motions for summary judgment (Docket nos. 19 and 26) are **GRANTED**. Defendants’ proposed order for an enlargement of time to respond (Docket no. 10) is **DISMISSED AS MOOT**.

**IT IS FURTHER ORDERED** that Plaintiff’s motion to appoint counsel (Docket no. 33) is **DISMISSED AS MOOT**.

This case is closed.

Dated: March 29, 2010

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE